

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

WEBROOT INC. and OPEN TEXT, INC.,

Plaintiffs,

v.

SOPHOS LTD.,

Defendant.

Case No. 6:22-CV-00243-ADA-DTG
(LEAD CASE)

Case No. 6:22-CV-00240-ADA-DTG
(Consolidated)

JURY TRIAL DEMANDED

**JOINT NOTICE OF VOLUNTARY DISMISSAL
OF CERTAIN OF PLAINTIFFS' CLAIMS WITHOUT PREJUDICE**

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and the Court's Standing Order Governing Proceedings (OGP) 4.2 – Patent Cases (filed), Plaintiffs Webroot, Inc. and Open Text, Inc. (collectively, "Plaintiffs") and Defendant Sophos Ltd. hereby file this Joint Notice of Voluntary Dismissal of Certain of Plaintiffs' Claims Without Prejudice, and respectfully show as follows:

Plaintiffs hereby voluntarily dismiss, without prejudice, the following claims from their Second Amended Complaint for Patent Infringement (ECF No. 76) pursuant to and in accordance with the procedure set forth in the Court's Standing OGP 4.2:

1. Claims for indirect infringement (*e.g.*, claims for inducement and contributory infringement under 35 U.S.C. 0167 271(b)-(c)) to the extent those claims involve allegations of indirect infringement prior to the filing date of the Complaint for Patent Infringement (ECF No. 1); and

2. Claims for willful infringement to the extent those claims involve allegations of willful infringement prior to the filing date of the Complaint for Patent Infringement (ECF. No. 1).

Plaintiffs hereby maintain their claims of indirect and willful infringement to the extent those claims involve allegations of indirect and/or willful infringement arising after the filing date of the Complaint for Patent Infringement (ECF No. 1), and Defendant Sophos reserves its right to seek dismissal of such claims.

Dated: November 29, 2022

Respectfully submitted,

/s/ Jeffrey D. Mills

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on November 29, 2022, to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system.

/s/ J. Stephen Ravel

J. Stephen Ravel